

## 1.0 Overview

Closed Circuit Television is one tool, which may be used by Merton Council to prevent and detect and reduce the fear of crime; it will also be used for Traffic Regulation and Enforcement. Its suitability must be assessed and its implementation considered in conjunction with other preventative methods in accordance with the guiding principles of the use of CCTV within Merton.

This CCTV Strategy will apply to fixed and redeployable camera systems used by Merton Council in Public Space Surveillance (PSS), Traffic Enforcement and Automatic Number Plate Recognition (ANPR), Departmental and Office systems, Body Worn Video (BWV) and covert cameras.

## 2.0 London Borough of Merton – CCTV Policy

The Council uses Closed Circuit Television (CCTV) systems in public spaces, Council offices and departments within and around car parks across the London Borough of Merton area for Public Space Surveillance and Traffic Enforcement. These CCTV systems are located across the borough with remote schemes at: -

- Civic Centre
- Pollards Hill
- Morden Park House
- Gifford House
- Lavender Park Children's Centre
- Garth Road Recycling Centre
- Youth Offenders Team
- Insight Centre
- Merton Industrial Estate
- Merton Abbey Mills
- Peel House Car Park
- St. George's Car Park
- Hartfield Road Car Park, Wimbledon
- York Close Car Park
- Canon's Leisure

This document along with the systems' Codes of Practice (CoP) and Operational Procedural Manuals (OPM) are designed to give clear guidelines on the Council's use of CCTV and to protect this Council's CCTV operators from allegations of misuse of the system and to protect staff and the public from any abuse of the CCTV system.

This policy covers the use of CCTV equipment and the gathering, storage, use and disposal of visual data. This policy applies to all staff employed by London Borough of Merton and those who operate the systems on their behalf. The Council will utilise CCTV for the purposes and objectives set out at paragraph 3.1.1 of this document.

It will also apply to those providing a sub-contracted service to the Council where CCTV is used, in whatever form. The Council's responsible representative will make their sub-contractors aware of this strategy in order that they can comply with its guidance.

### **3.0 Objectives of the CCTV Systems**

It is important that everyone and especially those charged with operating the CCTV systems on behalf of London Borough of Merton understand exactly why each of the systems has been introduced and what the cameras will and will not be used for.

This will assist in the planning, design and implementation of any development. Monitoring and evaluating the scheme will be aided if objectives are clear from the outset. A quantifiable measure should be established prior to the installation of CCTV against which the success of the scheme can be assessed in the future. This will generally be in relation to levels of criminal activity or contravention of Traffic Orders and should give consideration to joint work carried out by internal and external partners. CCTV makes a contribution to delivering a variety of services and link to a range of other strategies.

### **3.1 Uses of CCTV London Borough of Merton area**

Each CCTV system will have its own site or task specific objectives. CCTV will only be used for those purposes stated in Section 3.1.1. Additionally any expansion of the scheme will only be considered if supportive of these purposes.

#### **3.1.1 System Objectives**

The LBM CCTV system will be used to: -

- Reduce the fear of crime anti-social behaviour and disorder
- Prevent, deter and detect crime, criminal damage and public disorder, including vandalism, incidents of public nuisance and anti-social behaviour
- Identify, apprehend and prosecute offenders in relation to crime, criminal damage, public order, road traffic accidents involving serious injury and all forms of harassment
- Provide protection and welfare to members of the public
- Assist the emergency services in all aspects as appropriate, including major exercises relating to criminal activities and public safety
- Identify and reduce aggressive begging
- Provide the Police, the Council, and other organisations as authorised with evidence upon which to take criminal and civil actions in the Courts
- Assist where appropriate in the general management of the area by identifying issues, such as accumulation of breaches of environmental legislation, litter, damaged or dangerous street signs, etc. and bringing them to the attention of the various service providers and departments
- Assist with traffic management, accident and congestion reduction
- Protect areas and premises used by Council staff and the public
- Reduce violent or aggressive behaviour towards staff
- Protect Council property and assets
- Maintain and enhance the commercial viability of the London Borough of Merton areas of the town and encouraging continued investment
- Assisting in staff disciplinary, grievance, formal complaints and Health and Safety Investigations
- In appropriate circumstances, assisting the investigation of damage only accidents in Council owned or other privately operated surveilled car parks on the payment of an appropriate fee
- The enforcement of Road Traffic Regulations and Acts

- Assist third party investigating authorities (outside of the police) in the investigation of road traffic incidents, on payment of an appropriate fee

### **3.1.2 The Council will not use its CCTV for:**

- Monitoring the activities of anyone for reasons of age, gender, religion or race and who have not come to the attention of the operators of the system for one of the above reasons (at paragraph 3.1.1)
- Monitoring anyone lawfully going about their business, unless circumstances are such that give rise to particular concerns for that person's safety
- Intrude into the privacy of any individual or company unless in pursuit of one of the above authorised uses
- Monitoring the activities of their staff unless in pursuit of one of the above authorised uses
- For purposes of entertainment

The CCTV systems will not be used for any other purpose than those set out in this document without prior consultation with the CCTV Steering Group (CCTVSG) and where appropriate notification to staff and following consultation with the Trade Unions and also where appropriate. Any novel or non-standard use of the CCTV cameras requires the approval of the CCTVSG and be in line with ICO guidelines.

Cameras will not be used to monitor the progress of staff or individuals in the ordinary course of lawful business in the area under surveillance, nor are managers permitted to use the cameras to observe staff working practices or time keeping or to assist them in the day-to-day management of their staff.

Individuals will only be monitored if there is reasonable cause to suspect a criminal offence or serious breach of discipline, potentially amounting to misconduct has been, or may be, about to be committed and this will only be permitted when authorised by the manager tasked with this role and may require the use of a RIPA authorisation.

### **3.1.3 Overt and Covert Cameras**

The CCTV equipment referred to in this Strategy document relates to overt and covert equipment. Overt equipment is clearly visible to all. The London Borough of Merton may on occasions require the use of covert CCTV equipment to enable it to deliver its services. Covert equipment refers to CCTV cameras and recording equipment that is hidden or the term covert refers to a situation where a subject may not be aware they are being recorded/monitored.

## **4.0 Purpose of the Strategy**

The aims of this strategy are:

- To bring the management and delivery of CCTV in the London Borough of Merton area to a high level of consistency and quality service provision
- To provide the framework and criteria for the strategic development and on-going management of CCTV schemes that are owned and/or operated by London Borough of Merton
- To bring a coherent approach to the development of CCTV schemes in line with any Crime, Disorder and Drugs Reduction Strategies
- To assist with traffic enforcement for the reduction of pollution and congestion

- To ensure the financial sustainability of schemes
- To increase the effectiveness of CCTV as a crime and disorder reduction tool in London Borough of Merton by providing the standards for the implementation and management of CCTV

It does this by:

- Introducing standard policies and procedures that bring the variety of existing schemes in Merton to a comparative level of operation (Civic Centre, Morden Park House, Lavender Park Children's Centre, etc.)
- Provides a framework in which all new proposals for CCTV are considered by the CCTVSG
- Has a clear direction for the management and development of CCTV so that Partners and stakeholders in existing and potential schemes are able to understand what is expected of a CCTV scheme and are encouraged to participate in its management

## 5.0 Governance of the Council's CCTV Camera systems

The Council's CCTV Steering Group (CCTVSG) has been established to oversee the governance of the management and funding of the CCTV systems. The Terms of Reference for this group is shown at **Appendix A**.

### 5.1 Future Camera locations

Any future camera locations should be chosen on the basis of the objectives contained in this document and the attached appendices: -

- Does it meet the agreed objectives?
- Does it meet the principles and strategic aims of CCTV/other strategic plans?
- Does it meet agreed criteria?
- How will it be funded and sustained?

Overall, the following approach to future camera locations should be determined as:

- Analysis of strategic gaps in the current town centre systems; 'plugging displacement'
- Whether an existing camera can be relocated and used elsewhere
- Coverage of pedestrian links to towns from rail/bus stations and taxi ranks
- Wider displacement areas – Parks and stand-alone residential or shopping areas
- Other key activity zones
- To encourage compliance of Road Traffic Regulations

See **Appendix B** regarding the Purchase and Deployment of CCTV Cameras.

## 6.0 Other CCTV Systems

Although there are records and knowledge of the 'Public Space' CCTV equipment used and owned by London Borough of Merton, records, settings and benefits relating to 'stand-alone CCTV systems in other premises such as Council offices, leisure centres, etc. are fragmented and it is not known if they are compliant with legislation.

There will be a coordinated approach to all Council owned CCTV across the London Borough of Merton area; the levels and uses of such equipment should be established across all departments to

ascertain the levels, the state of maintenance, the use and cost to achieve the annual upkeep of the systems.

## 7.0 Compliance with this document

No Public Space Surveillance, Traffic Management (ANPR) or third party CCTV scheme should be accepted for monitoring from the Council's CCTV Control Room without first having satisfied the requirements of this strategy.

CCTV will be developed in Merton in a considered manner to ensure that all schemes have maximum effectiveness.

This strategy will link with a number of other existing strategies operated by London Borough of Merton including:

- Merton Local Community Plan
- Anti-Social Behaviour Strategy
- RIPA Protocol
- Data Protection Policy

## 8.0 Legislation

In addition to Council policies, procedures, guidelines and Codes of Practice, Operational Procedural Manuals, CCTV and its operation are subject to legislation under: -

- The Data Protection Act 1998 – ensuring that all personal data is protected and private
  - A Data Protection Code of Practice for Surveillance cameras and Personal Information
- The Human Rights Act 1998– Article 8 gives individuals the right to privacy and Article 5 gives the right to Liberty and Security
- The Regulation of Investigatory Powers Act 2000 – applying to directed surveillance from our overt CCTV systems
- The Freedom of Information Act – all recorded information and information relating to individuals are subject to the provisions of the Data Protection Act
- The Private Security Industry Act 2001– where required by the Act, operators of CCTV will be licensed under the Act
- Section 17 of the Crime and Disorder Act 1998, which requires the key partners to the strategy to integrate crime reduction within their mainstream activities
- The Protection of Freedoms act 2012 which sets out the criteria where PSS cameras justify a 'Pressing Need'
  - Surveillance Camera Code of Practice

It is important that the operation of all Council run CCTV systems comply with these Acts, policies, procedures, guidelines and Codes of Practice. This is to ensure that Council staff running the CCTV systems, the public and the Council itself are protected from abuse of the CCTV systems.

Signage will be used to inform the public of the use and operation of CCTV in the area; guidelines in the way the signs will be designed and installed are shown at **Appendix C**.

## 8.1 Operational Requirements

Operational Requirements are used to assess the necessity of CCTV cameras and systems and to ensure full consideration has been made of all implications relating to their installation.

An Operational Requirement is “A statement of needs based on a thorough and systematic assessment of the problems to be solved and the hoped for solutions.”

- Is there a problem?
- What is the problem?
- Will CCTV help solve the problem?
- What other solutions have been considered?
- Can we afford what we want?
- Is what we do compatible with existing infrastructure and technology?

The period of retention of data/images, the frame rate suitable to achieve minimum evidential quality and the compression method are shown at **Appendix D**.

## 8.2 Privacy Impact Assessments

Where the Council is considering the introduction of new or additional cameras to the existing systems, in addition to carrying out an Operational Requirements Assessment, deliberation must also be made to conducting a Privacy Impact Assessment (PIA). A PIA is a separate process from compliance checking or data protection audit processes, (an audit is undertaken on systems that have already been implemented). A PIA is a valuable measure that will either confirm that privacy undertakings and/or privacy law are being complied with, or will highlight problems that need to be addressed.

The London Borough of Merton handles personal data using the CCTV and Traffic Enforcement systems and needs to monitor its on-going operations, whether recording images of employees or the general public. Experience shows that once an organisation’s reputation is damaged and trust is lost it is then very hard to regain.

A privacy impact assessment should look at the pressing need that the surveillance system is intended to address and whether its proposed use has a lawful basis and is justified, necessary and proportionate. Where the system is already in use, the same issues should be considered or considerations should be made as to whether a less privacy intrusive method could be used to address the pressing need.

## 8.3 Accountability/Consultation

In the development or review of any surveillance camera system, proportionate consultation and engagement with the public and partners (including the police) will be an important part of assessing whether there is a legitimate aim and a pressing need, and whether the system itself is a proportionate response.

Primarily, consultation will aim to inform stakeholders of the proposal for a CCTV scheme, to fully explain the objectives and to gather any feedback from interested parties. Residents whose properties are situated adjacent to a proposal may want to request the use of privacy zones to obscure CCTV Operators from viewing areas on that particular camera.



## 9.0 Transmission Systems

Fibre optic transmission will always be the most reliable and secure method of transmitting CCTV data/images but it is usually the most expensive transmission solution.

Fibre optic transmission rental from BT Redcare and Virgin Media, linking cameras with the control room, provides the Council with one of the most expensive recurring costs each year.

The Council owns some of its own fibre optic cabling in ducts around the Civic Centre and where possible, this method of transmission should be adopted when new or upgraded CCTV systems are being considered.

Other alternative transmission includes wireless, which generally requires Line of Sight (LOS) and high buildings with appropriate permissions on which to install wireless equipment. This is less resilient and can be susceptible to interference. ADSL/Broadband is another method of transmission although this is less reliable and inconsistent in delivering the quality of images generally needed for proactive CCTV monitoring.

The Council will always consider transmission options that provide it with a resilient yet cost effective solution; this may be with service providers who can offer deals and incentives, including the provision of cameras as part of a package of measures that the Council should consider.

## 9.1 New Technology

The Council is aware that technology continues to evolve and may improve the CCTV service and reduce the revenue costs if these new technologies are embraced where appropriate. When designing new or replacement CCTV systems, the Council and its advisors will ensure equal importance is placed on 'future-proofing' these existing CCTV systems so that old equipment does not become an expensive burden with implications of maintenance. Where possible, the introduction of High Definition (HD) cameras will be considered, etc. so that greater quality and detail may be obtained and the system interrogated 'after the event' with no detriment to the evidence.

## 10.0 Investment/Funding

The Council will seek external funding (capital and revenue) to assist with the financing of CCTV.

The CCTV operational costs will be funded from the Merton Council's General Fund and third party contributions and will cover annual revenue expenditure. A programme of anticipated annual capital expenditure will also be identified and 'ring-fenced' to ensure obsolete and vulnerable CCTV equipment can be replaced as part of an on-going plan. The Council will seek third party capital funding for new installations wherever possible as well as contributions for on-going revenue where pro-active monitoring by the Council is required or where on-going transmission costs are incurred and paid by the Council.

Capital expenditure on new or enhanced CCTV systems owned by the Council will only be approved by the CCTVSG once on-going annual revenue expenditure has been established and a source to fund this has been identified. Such decisions will be minuted and circulated.

Where monitoring of other third party services are provided by the CCTV control room, suitable Service Level Agreements and if necessary, Memorandums of Understanding will be adopted and contracts signed to cover the CCTV operator/control room costs and allow for some profit, for the provision of this service.

## **11.0 Planning Issues**

There are some strategic decisions and priorities that can be implemented as a matter of policy, to ensure that CCTV requirements are not overlooked in any planning application process.

A combined holistic approach to both transport and the road infrastructure should be taken jointly with those charged with the improvement and development of the borough and those with the community safety responsibility. This will enable all relevant departments to consider the implications of the impact of traffic management, anti-social behaviour or other crime in order that this can be measured and appropriate methods weighted and costed for prior to planning permissions being granted. This might include the provision of CCTV cameras or just the ducting infrastructure to be installed during the construction phase of works but which will enable cameras to be added later if necessary. Costs for the maintenance and on-going, pro-active monitoring also need to be taken into account.

In the same way that Planning Permissions could be more widely used by other Council departments to initiate works during the same phase of building works, those responsible for highways works within the Council may carry out works in isolation to other Council departments when road, footpath or other street works take place. If these were notified to other departments and in particular the Safer Merton, it could be possible to ensure dual works take place and all implications considered.

If communication and notifications are made between the Safer Merton and the Future Merton team about where intended roadworks/development of areas are to take place, the opportunity for joint funding and the installation of ducts or cameras could be considered as a joint, holistic approach.

### **11.1 Section 106 Town and Country Planning Act 1990**

Every opportunity to exercise a levy on a planning application where the effects are likely to impact on community safety should be taken. This should be used to not only generate capital funds but on-going revenue streams. Such applications and grants also need to be considered by Safer Merton.

A process should be developed between the Planning and Safer Merton in order that when relevant planning applications are made, including for the provision of Section 106 monies, consideration to permit this development or not, is not determined in isolation to community safety and those responsible for its delivery. As a consequence, any monies allocated to the Council should enable an element to be ring-fenced for Safer Merton.

### **11.2 Planning Permission and Ducting**

Merton Council should recognise the benefits and advantages of installing its own duct and fibre optic cabling where necessary, should opportunities arise to avoid its reliance on third party providers such as BT and Virgin Media.

The Council should consider a policy of insisting that developers/builders install spare ducting for Council purposes in all their developments as part of the planning consent process. For example if a new shopping centre or retail park is being built and ducting is being installed, an extra, spare duct should also be installed for 'unknown' Council use. This will then enable future CCTV (or other Council projects) to use that ducting without additional Civils and other associated costs.

## **12.0 Management of the CCTV Systems**

The Council will operate a 24/7 pro-actively monitored CCTV system with suitably qualified staff to oversee and manage the operation.



The Council recognises the role of the CCTV manager is critical to deliver a professional, lawful compliant operation of the Council's CCTV service.

The day-to-day service delivery responsibility rests with the designated CCTV manager or supervisor and their staff who actually operates the CCTV equipment and handles the data.

The Council's CCTV Manager is responsible for the day-to-day operation of the Public Space Surveillance CCTV system and acts as the central coordinator and point of contact on all issues relating to CCTV within London Borough of Merton.

The CCTV Manager will be responsible for ensuring all users are kept up to date on legislation and changes in procedures and will review the Council's Policy and Codes of Practice, Operational Procedural Manual documents annually and maintain a central database of all documents relating to the Council's CCTV system.

## 12.1 The CCTV Manager

The CCTV Manager is responsible for:

- The day-to-day operation of the CCTV systems within their charge and the security and accountability of all equipment and media used by their system. This includes any system owned by the Council but which is in the possession of third parties such as those cameras deployed in leisure and civic centres, schools, recycling centre and remote DVR locations, etc.
- Making sure that authorised staff using the CCTV system are properly trained in the use of the equipment and comply with the Code of Practice, Operational Procedural Manual and policies and procedures. They are not to permit any other staff to operate the equipment or view images without authorisation
- The CCTV Manager will delegate authority to the CCTV supervisor to be the first point of contact for enquiries, complaints and requests for evidence and as the liaison officer for all external and internal contacts

## 13.0 CCTV Staff Training

- a) All Operators, including those who may have access to monitoring facilities at any secondary monitoring site, will be fully trained in the use of each item of equipment as well as the content of the Code of Practice and this Manual
- b) Under the provisions of the Private Security Industry Act 2001 it is a criminal offence for staff to be 'contracted' as public space surveillance (CCTV) Operators in England, Wales and Scotland without an SIA licence. The Security Industry Authority is the organisation responsible for regulating the private security industry. It is an independent body reporting to the Home Secretary under the terms of the Private Security Industry Act 2001.
- c) A Public Space Surveillance (CCTV) licence is required when activities ('licensable duties') are carried out through the use of CCTV equipment to:
  - a. Monitor the activities of a member of the public in a public or private place or
  - b. Identify a particular person(s)
- d) A Public Space Surveillance (CCTV) licence is only required when services are supplied for the purposes of or in connection with any contract to a consumer. This will include local

agreements between the Council for the supply of monitoring services for a CCTV Control Room operated and staffed by a sub-contracted company whether for payment or otherwise

- e) Certificated training to a recognised standard by an SIA approved awarding body (E.g. Edexcel; EDI; City and Guilds etc.) must be undertaken to be issued an SIA PSS CCTV Licence to operate
- f) Any sub-contracted security staff operating in the CCTV Control Room will be in possession of an SIA CCTV Licence in compliance with this legislation as necessary and to meet the recommended standards of the Home Office National CCTV Strategy. Only warranted police officers are exempt under the provisions of the Private Security Industry Act 2001
- g) All training will include topics on all relevant social and legal issues. Staff will undertake continuation training on a regular basis
- h) Others who may be involved in the use of information gathered by virtue of the Merton Council CCTV System (e.g. investigators, managers, etc.) should be properly educated in respect of the Code of Practice and the Operational Procedural Manual. They should be made aware of the capabilities and limitations of the system and their responsibilities with regard to the handling of recorded material
- i) Pertinent legislation will be included in any training given to staff

#### **14.0 Performance Management**

Due to the large sums of capital and revenue expense involved in the running and operation of the Council's CCTV system, it is essential that 'value for money' can be demonstrated to members and tax payers. Although most benefit of the PSS CCTV comes from anecdotal testimony, it is crucial that a factual based information system is created to measure monthly and subsequently yearly, quantifiable benefit of the successes and uses of the system.

An integrated Graphic User Interface (GUI), properly installed, managed and with operators correctly trained in its use will provide the Council with the information with facts and figures that should be presented to the Steering Group at their regular meetings. A summary of the annual CCTV usage figures will be produced summarising the uses and the detailed monthly sheets attached in the annual report of the whole CCTV system.

#### **15.0 Maintenance of the CCTV System**

A suitable service provider under contract will maintain the various CCTV systems owned by Merton Council. Such contracts will normally be tendered for a period of three years with an option to extend up to a maximum of five years in 12-month intervals.

When tendering for this maintenance service provision, the Council will explore options to include an all-inclusive contract of labour, which includes parts but will be minded to ensure it receives value for money and will not disregard the option to have a labour only contract and parts charged additionally.